

FILED
Clerk
District Court

OCT 27 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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8 **Attorneys for Plaintiffs**
9 **Kenneth C. Cochrane,**
10 **Eric P. Cochrane,**
11 **and the minor child Achali K. Cochrane,**
12 **represented by Kenneth C. Cochrane**

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN MARIANA ISLANDS**

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|--|---|---------------------------------|
| 15 KENNETH C. COCHRANE, ERICA P. |) | CIVIL CASE NO. 05-0013 |
| 16 COCHRANE, and ACHALI K. |) | |
| 17 COCHRANE, a minor child represented by |) | |
| 18 Kenneth C. Cochrane, |) | PLAINTIFFS' SUPPLEMENTAL |
| |) | INITIAL DISCLOSURES |
| 19 Plaintiffs, |) | |
| 20 vs. |) | |
| 21 FRANCISCO W. BORJA, |) | |
| 22 Defendant. |) | |

23 COMES NOW Plaintiffs by and through counsel, and for their Initial Disclosures
24 Pursuant to Rule 26(a)(1), discloses as follows:

25 **INTRODUCTION**

26 This case arose out of a car accident, which occurred on December 7, 2003 where the
27 Plaintiffs' and Defendant's vehicles collided at the intersection of Middle Road and Navy Hill
28 Road. DPS concluded that this accident was caused by Defendant's failure to yield the right-
of-way. This conclusion has been confirmed by answers to interrogatories propounded to
Defendant and his deposition testimony. Through his negligence, defendant has caused a
young family to suffer physical, economic and emotional harm. Fortunately, Mr. Cochrane and
his daughter were not seriously harmed, but Mrs. Cochrane suffered fairly serious injury that

ORIGINAL

1 took a long time to recover and placed a severe strain upon her family life. Both the physical
 2 recovery and the emotional trauma from the accident made it impossible for Mrs. Cochrane to
 3 continue with her position at Coastal Resource Management. The stress from this recovery has
 4 been such that Mrs. Cochrane has sought counseling in order to convalesce. With liability
 5 clear, and a reasonable offer on the table, this matter should be quickly and expeditiously
 6 settled so that the Cochrane family can get on with their lives and put this painful experience
 7 behind them.

8 9 DISCLOSURES

10 11 1. Disclosures pursuant to Federal Rule of Procedure 26(a) (1) (A).

- 12 a. Kenneth C. Cochrane
 13 c/o O'Connor, Berman Dotts & Banes
 14 Witness to the accident
- 15 b. Erica P. Cochrane
 16 c/o O'Connor, Berman Dotts & Banes
 17 Witness to the accident
- 18 c. Mr. Francisco W. Borja
 19 c/o G. Anthony Long
 20 Witness to the accident
- 21 d. The police personnel named on the police report.
- 22 e. Various personnel named in the related CHC medical records.
- 23 f. Plaintiff Erica Cochrane's medical treatment personnel: Marianas

24 Medical Center; Dr. Tony Stearns; 7th Day Adventist Clinic; Anne Erhard; Steve Arthur; David
 25 Ahrens; Dr. Chan; Raising Sun Yoga; and University of Wisconsin Hospital.

26 2. Disclosures pursuant to Federal Rule of Procedure 26(a) (1) (B).

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 28 The following documents are currently available or will become available upon proper
 notification for inspection at the Law Offices of O'Connor Berman Dotts & Banes:

- a. DPS Report dated December 12, 2003.
- b. Various medical records and bills from CHC related to CHC's treatment of Plaintiffs.
- c. Various medical records and bills from Marianas Medical Center; 7th Day Adventist Dental Clinic; Anne Erhard, psychologist; Steve Arthur, chiropractor; David Ahrens, massage therapist; Dr. Chan, acupuncture and massage; Raising Sun Yoga; and University of Wisconsin Hospital. Plaintiff has produced a great deal of these records already, but difficulties in obtaining complete sets of medical records and billing statements continue. Plaintiffs will, as they have been doing, update these items as soon as practicable.
- d. Release signed by Plaintiffs related to their claim for property damage.
- e. CHC medical release dated July 21, 2005.

3. Disclosures pursuant to Federal Rule of Civil Procedure 26(a) (1) (C).

a. Plaintiffs are claiming pain and suffering and Plaintiff Erica Cochrane is also claiming lost wages. Plaintiffs estimate that the damages for emergency room and direct medical care for their injuries are nearly \$3000.00 and that continuing therapy and treatment for Mrs. Cochrane amount to \$7500.00. Plaintiffs have been able to secure partial billing records for these amounts, which substantiate over \$3000.00 of the total cost and are attempting to secure further documentation of these losses. Additionally, Mrs. Cochrane's injuries have caused her to lose approximately \$9500.00 in lost wages. Plaintiffs reserve their right to supplement this disclosure.

4. Disclosures pursuant to Federal Rule of Civil Procedure 26(a) (1) (D).

- a. Royal Crown has produced a copy of the relevant insurance policy.

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2 Dated: October 27, 2005

O'CONNOR BERMAN DOTTS & BANES
Attorneys for Plaintiffs Kenneth C. Cochrane,
Erica P. Cochrane, and Achali K. Cochrane

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6 By: 

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8 CNMI Bar No. F0171
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